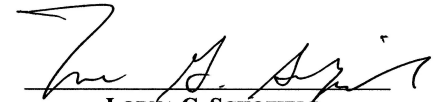


HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

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LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

June 29, 2022

BY ECF

Honorable Lorna G. Schofield
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Application GRANTED. The briefing schedule at Dkt. No. 20 is VACATED. A separate referral order will issue. The parties shall file a status letter within one week of the conclusion of settlement discussions with Judge Cott. If a settlement is not reached, the parties shall propose a new briefing schedule.

Dated: June 30, 2022

New York, New York

Re: *J.E. v. New York City Department of Education*, 22-cv-1078 (LGS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York and the attorney assigned to represent Defendant New York City Department of Education in the above-referenced matter. Plaintiffs, the parents of a student with disabilities, seek attorney's fees under the Individuals with Disabilities Education Act for three separate administrative proceedings.

I write jointly with Plaintiffs' counsel, Gary S. Mayerson, to respectfully request: (1) a stay of the briefing schedule on Plaintiffs' motion for attorneys' fees; and (2) a referral to the assigned magistrate judge for settlement purposes in an effort to resolve the matter prior to expending the parties' and judicial resources on motion practice.

By way of background, pursuant to the Court's Order dated June 9, 2022 (Dkt. No. 20), Plaintiffs' motion for fees is due by July 1, 2022; (2) Defendant's opposition is due by July 15, 2022; and (3) any reply by Plaintiffs is due by July 22, 2022. The Court previously granted the parties' first three requests to extend the briefing schedule in light of an intervening delay caused by my entire immediate family and I contracting COVID-19, with one of my family members having developed serious complications as a result of the virus.

The reason for the requested stay of the briefing schedule and the referral to the assigned magistrate judge for settlement is that Defendant recently provided a counteroffer to Plaintiffs, and the parties are now much closer to resolving the case. The parties respectfully

submit that, in the event they are unable to settle the matter on their own, a settlement conference before Judge Cott will assist them in resolving the matter prior to expending the resources (and additional fees) on motion practice.

Accordingly, the parties jointly respectfully request that the Court grant: (1) a stay of the briefing schedule on the motion for attorneys' fees; and (2) a referral to the assigned magistrate judge for settlement purposes.

The parties thank the Court for its consideration of this request.

Respectfully submitted,

/s/

Philip S. Frank
Assistant Corporation Counsel

cc: All counsel of record (via ECF)